

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 GREGORY MYRICK,  
4 Plaintiff,  
5 v.  
6 SUWE, et al.,  
7 Defendants.

Case No.: 3:24-cv-00108-ART-CSD

8  
9 ORDER

10 On March 4, 2024, pro se plaintiff Gregory Myrick, an inmate in the custody of the  
11 Nevada Department of Corrections who is housed at Northern Nevada Correctional  
12 Center (“NNCC”), submitted a document titled “Motion to Prohibit Dissemination of Nude  
13 Photos” and applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). Plaintiff’s initiating  
14 document does not constitute a complaint, and the application to proceed *in forma*  
15 *pauperis* is incomplete because Plaintiff used an outdated form and did not include the  
16 financial documents required by that form. The Court will grant Plaintiff an extension of  
17 time to submit a signed complaint and either pay the full \$405 filing fee or file a fully  
18 complete application to proceed *in forma pauperis* by an inmate at NNCC.

I. DISCUSSION

A. Plaintiff must submit a signed complaint to the Court.

“A civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. “A civil-rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by this court or must be legible and contain substantially all the information called for by the court’s form.” Nev. LSR 2-1. And the complaint must be signed personally by the unrepresented party. Fed. R. Civ. P. 11(a).

Plaintiff’s initiating motion is not a complaint because it does not contain substantially all the information called for by the Court’s form. If Plaintiff wishes to proceed with this action, Plaintiff must file a complaint that complies with LSR 2-1 and is personally signed. And Plaintiff should file the complaint on this Court’s approved civil-rights form.

**B. Plaintiff must either pay the filing fee or file a new IFP application.**

This Court must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. Effective February 1, 2024, NNCC inmates filing lawsuits in the U.S. District Court for the District of Nevada are directed to apply for *in forma pauperis* status using the form titled “Application to Proceed *In Forma Pauperis* by an Inmate at Northern Nevada Correctional Center.”

## **II. CONCLUSION**

It is therefore ordered that Plaintiff has until April 8, 2024, to submit a signed complaint to this Court.

It is further ordered that the application to proceed *in forma pauperis* (ECF No. 1) is denied without prejudice.

It is further ordered that Plaintiff has **until April 8, 2024**, to either pay the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis*, which is pages 1–3 of the Court’s approved form for inmates at NNCC.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a signed complaint and either pay the filing fee or properly apply for *in forma pauperis* status.

The Clerk of the Court is directed to send Plaintiff Gregory Myrick (1) the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same and (2) an application to proceed *in forma pauperis* by an inmate at NNCC and instructions for the same.

DATED THIS 8th day of March 2024.

C S O  
UNITED STATES MAGISTRATE JUDGE